

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

SEP 09 2005

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOSEPH DAVID RIGNEY
and MAGDI NAIM AZER

Application No. 10/086,148

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

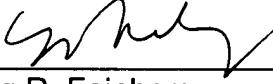
This application was electronically received at the Board of Patent Appeals and Interferences on August 3, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

The Examiner's Answer mailed June 3, 2004 is defective because the prior art relied upon is not listed in the Examiner's Answer. This is needed to process the case. Appropriate correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner to list the prior art relied upon in the Examiner's Answer and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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